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SIPDIS
SENSITIVE

STATE FOR G/TIP, INL, DRL, PRM, NEA/ELA, AND NEA/RA

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TAGS: [KTIP](#) [ELAB](#) [PHUM](#) [KWMN](#) [SMIG](#) [JO](#)

SUBJECT: JORDAN: INPUT FOR THE 2010 TRAFFICKING IN PERSONS
REPORT, PART 2

REF: A. AMMAN 383
 B. AMMAN 274
 C. STATE 2094
 D. 09 AMMAN 2339
 E. 09 AMMAN 2254
 F. 09 AMMAN 2074
 G. 09 AMMAN 2073
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139. (U) (27/F) Government officials received specialized training on the identification, investigation, and prosecution of trafficking throughout the year as part of several donor-funded programs. The government continues to request additional technical assistance and training, especially for the planned joint police-labor inspector TIP investigation unit. The following training has occurred to-date:

-- The International Organization for Migration (IOM) has trained nearly 300 PSD borders and residency personnel on identification, investigation techniques, and working with victims. The majority trained are stationed at border points. IOM also trained 100 police officials on migration patterns.

-- IOM conducted TIP awareness workshops for over 70 labor inspectors. IOM plans to expand their program in the coming year to include more police officers, the TIP investigation

unit, and assistance to the government and civil society on shelter management and victim services.

-- Two U.S. assistant attorneys conducted two-day courses for 80 civilian, police, and security court judges and prosecutors. The training focused on identifying TIP, local and international laws, and case studies. In a second phase planned for spring 2010, the U.S. attorneys will conduct an in-depth training for a core group of prosecutors. These prosecutors can then serve as trainers themselves and take the lead on TIP investigations and prosecutions. The program is funded by G/TIP.

-- The ILO, with Canadian funding, conducted awareness workshops for several judges, prosecutors, police, labor inspectors, and other government personnel during the year. The ILO brought in experts to work with the national committee on specific initiatives, such as the National Strategy to Combat TIP. Previously, the ILO, with USG funding, developed a training program for labor inspectors. The training contains curricula on trafficking and forced labor. The ILO also plans to increase training opportunities under their program in the coming year.

-- The American Bar Association (ABA) is about to launch a G/TIP funded grant. The project will focus on the judiciary and incorporating TIP into the Judicial Institute's curriculum. Other training, such as joint prosecutor and police training, is also envisioned.

--There were several other training opportunities for

government personnel during the reporting period. Labor inspectors and PSD criminal investigation officers traveled to several countries to learn about their TIP investigation units. International and local NGOs hosted at least six seminars related to TIP for government personnel. In 2010, two local NGOs are also planning awareness raising seminars for officials.

¶40. (SBU) (27/F) The PSD is further incorporating TIP into the police academy's law enforcement curriculum. The academy will dedicate two training hours to trafficking in the over 500 courses planned in 2010. Mid-level police officers will be given 10 training hours in 2010 as part of their required leadership training.

¶41. (SBU) (27/G) The government signed a new MOU with the Indonesian government to strengthen the regulation and oversight of the recruitment process and clearly delineate responsibilities. The government reportedly has also reached an agreement with the Philippine and Sri Lankan governments but, as of February 15, they had not yet signed an MOU. No formal cooperation mechanisms exist with other governments to specifically investigate and prosecute trafficking cases. The government and source country embassies worked together to repatriate workers but there was little cooperation to punish traffickers. Source country embassy representatives admit FDWs are usually advised not to pursue lengthy and costly trials, but instead they try to assist them informally to obtain lost wages, find new employment or be repatriated. In cases where government assistance was requested, source country embassies expressed a willingness to find informal solutions but also a relative lack of cooperation to formally investigate. (Note: A wide range of public and private interlocutors often raise accusations that foreign source country diplomats profited by, for instance, brokering jobs for workers seeking refuge at their embassies. End Note)

¶42. (U) (27/G) Egypt and Jordan jointly investigated cross-border organ trafficking during the reporting period. The information sharing and investigations led to the arrests of suspects in both Egypt and Jordan and prosecutions in Jordan (para 35).

¶43. (U) (27/H) Jordan does not have an extradition treaty with any source country or the U.S. There were no known extradition requests related to TIP over the past year.

¶44. (U) (27/I) No evidence exists of government involvement in, or tolerance of, trafficking.

¶45. (U) (27/J) Not Applicable.

¶46. (U) (27/K) Jordan provides substantial numbers of both armed forces and police officers to peacekeeping efforts worldwide. There are no reported allegations by governmental or nongovernmental authorities that Jordanian forces took part in trafficking activities during the course of their assignments.

¶47. (U) (27/L) No evidence currently exists of child sex tourism in Jordan according to governmental and nongovernmental officials.

Protection and Assistance to Victims

¶48. (U) (28/A) There are currently very few protections

available for trafficking victims. Under MOL regulations, migrant workers, even trafficking victims, cannot change employers without approval. Without valid employment, the worker cannot obtain residency and work permits to stay in the country. The MOL and MOI have shown some flexibility in allowing some abused workers to change employers but most return to their home country. Victims who wished to return to their country of origin applied through either the MOL or the NCHR for waiver of any overstay fines accrued. The MOI makes the final determination of whether to waive fines or not.

¶49. (U) (28/B) The government did not maintain any shelters for trafficking victims but developed a plan to create a long-term shelter (para 52). There are very limited options for victims needing a victim care facility. The MOSD-funded shelter for abused women, Dar Al Wafaq, housed a handful of sexually assaulted FDWs after referral by the PSD's Family Protection Department (FPD). At Dar Al Wafaq, victims are able to access a range of NGO-provided services. The Jordanian Women's Union, which also runs a domestic violence shelter, allowed some FDWs to stay temporarily. The Indonesian, Philippine, and Sri Lankan embassies maintained basic shelter facilities for runaway FDWs. At the end of January, the Filipino embassy reportedly was housing over 120 FDWs, the Indonesian approximately 200, and the Sri Lankan nearly 100.

¶50. (U) (28/C) The government provided very limited services to trafficking victims. The FPD, with Dar Al-Wafaq, has provided psychological and medical services to a handful of sexually abused FDWs. The NCHR, which receives a block grant from the GOJ, provides limited legal advice and assistance to FDWs and textile workers. For instance, NCHR helped a few victims gain receipt of confiscated documents and payment of unpaid wages. In a few instances, governmental officials and the police reportedly referred victims to NGO service providers.

¶51. (U) (28/D) The government has no formal system, such as a special visa, to provide temporary permanent residency status or relief from deportation for trafficking victims. National Committee members tell Post, however, that the National Strategy to Combat TIP contains language requiring the establishment of a temporary residency and work visa for victims. In fact, Post was informed the U.S. T-visa policy was studied when drafting the language. To date, the government has shown some flexibility in allowing trafficking victims, many of whom seek refuge at their country's embassy, to remain in-country by changing employers. In most cases, however, the government works with the source country embassy to waive any overstay fines and repatriate the worker. Additionally, employers often report runaways to the PSD, which sometimes results in the issuance of a deportation order. Workers who are accused by their employers of wrongdoing may be imprisoned until their fines are paid or

arrangements are made for repatriation. Employee fear of retaliation is one reason that the vast majority of employers accused of forced labor and/or abuse are never investigated or prosecuted.

¶52. (U) (28/E) The government did not operate a shelter for victims of trafficking but made progress towards establishing one during the year. A National Committee sub-committee, comprised of the NCHR, NCFA, MFA, PSD, MOJ, MOL, and MOSD, reportedly completed by-laws to serve as the legal framework for operating a shelter. As of February 15, the National

Committee had not approved the by-laws. Simultaneously, the MOSD developed a detailed management and resource plan for operating the shelter. National Committee members inform Post that the MOSD will manage the shelter but will work closely with NGO service providers (Note: This arrangement is similar in nature to Dar Al-Wafaq, where several NGOs maintain offices to provide a range of services to abused women. End Note). The shelter will reportedly be "open" and allow victims to work. The National Committee requested \$300,000 from the Ministry of Planning and International Cooperation to fund the shelter's establishment. (Note: Post has requested a copy of both the by-laws and management plan. End Note)

¶53. (U) (28/F) The government does not have an institutionalized referral mechanism to transfer TIP victims to service providers. Such a mechanism is reportedly included in the National Strategy to Combat TIP and was discussed while drafting the shelter by-laws. There were informal referrals during the year. The PSD's Family Protection Department referred a few sexually assaulted FDWs to the government's shelter for abused women, Dar al Wafaq. A few FDWs that experienced forced labor were referred to the shelter operated the Jordanian Women's Union or their source country embassy. Activists and NGOs report that, in most cases, detained FDWs, even those who claim abuse or forced labor conditions, are not referred for assistance.

¶54. (U) (28/G) The government does not calculate or maintain statistics related to the number of actual or estimated trafficking victims. Governmental and non-governmental officials even debate who should be considered a trafficking victim. Some government officials do not consider FDWs that experience forced labor conditions as trafficking victims. There are no recent NGO studies to calculate the number of victims though a few organizations, such as IOM, have proposed to conduct such a study with a focus on domestic workers.

¶55. (U) (28/G) The extent of the trafficking problem among domestic workers is reflected in the approximately 400 FDWs currently housed in source country embassy shelters. Not all runaway FDWs are fleeing forced labor conditions, but source country embassies and local NGOs report that the vast majority are and that the number is not decreasing. For instance, the Philippine embassy reports that over 90 percent of runaways were not properly paid, had travel documents confiscated, or both. The Philippine Overseas Labor Employment Agency continued to bar new Filipino workers from seeking employment in Jordan during the reporting period. Filipino workers still entered the country during the ban with some coming from third countries. The government and Philippine embassy report that a new agreement on the recruitment and employment of their citizens has been reached and, once signed, the ban will be lifted.

¶56. (U) (28/G) Tamkeen has received over 200 migrant worker complaints since April 2009 that could be considered forced labor. Tamkeen attempted to assist these workers through informal channels or through the court system (paras 32-33).

¶57. (U) (28/G) The MOL, NCHR, and textile union each receive labor complaints from garment sector workers but not all complaints received are forced labor-in-nature. The MOL hotline, manned by speakers of Hindi, Bangala, Sinhalese,

Tagalog, and Bahasa Indonesian, continued to receive complaints during the year. (Note: While the vast majority of

complaints to the hotline are from garment sector workers, workers in other sectors may also call. End Note) Most complaints involved poor dormitory conditions, non-payment or delayed payment of wages, mistreatment by management, or confiscation of passports. Additionally, the GOJ placed locked suggestion boxes in all factories where workers could submit complaints anonymously. A representative from the Ministry of Labor has the only key to the boxes.

¶58. (U) (28/H) The PSD, MOI, and MOSD do not use a formal mechanism to identify possible victims of trafficking; however, some government officials, including police personnel at border points, received victim identification training (para 39). The PSD assert that the training has produced results and increased victim identification.

¶59. (U) (28/I) The victim's rights are largely not respected.

In cases where migrant workers, especially FDWs, run away from their employers or approach authorities to claim abuse or protest salary withholdings, the employer will often accuse the worker of theft or another crime in retaliation. If charges are filed against a migrant worker, s/he will be immediately arrested and detained even before an investigation is launched. The worker is then usually detained until an agreement is reached where both the employer and worker drop charges, repatriation is arranged, the worker completes a prison sentence for the crime, or the source embassy convinces authorities to release the worker in their care. If a migrant worker does not have a valid residency permit, which the employer must renew, s/he will be fined 1.5 JD (\$2.12) for each day that s/he is out of status.

In most cases, this fine accumulates into an amount that FDWs are incapable of paying. The MOI frequently continued to waive these fines to permit repatriation but would not waive the fines to allow a worker to stay in-country for any reason.

¶60. (U) (28/J) The government does not actively encourage victims to pursue an investigation or prosecution of the offense. The government did investigate a few cases of sexual exploitation and forced labor during the year but, in most cases, worked with the source country embassies to repatriate victims or solved individual cases through informal means. Victims may bring civil suits against employers under civil law, though not under the labor law. For suits greater than \$4,200 (3,000 JD), the plaintiff must have a lawyer. The government does not provide lawyers for victims to pursue civil claims, though one NGO has started to provide legal services to TIP victims and initiated its first civil case. The NGO received threats from recruitment agencies and employers for their work. Victims must appear when summoned during their court case and are technically not allowed to obtain other employment; however, MOL and MOI showed some flexibility in allowing some abused FDWs to seek other employment. The primary reason for this flexibility was to resolve the worker's status and situation not to assist the victim in pursuing criminal or civil action.

¶61. (U) (28/K) Government officials received training on TIP, including victim identification, throughout the reporting period (para 39). There were no trainings related to victim assistance though the IOM and ABA have identified this area as a need, especially now that referral mechanisms have been discussed and the government developed a shelter plan. The government did not provide TIP training to its foreign service personnel.

¶62. (U) (28/L) There were no reports of repatriated Jordanian trafficking victims by either governmental or non-governmental sources during the year.

¶63. (U) (28/M) Only a handful of international organizations or local NGOs assist trafficking victims. The primary organizations that directly assist victims are:

--Tamkeen: A local NGO providing legal services to migrant workers.

--Jordanian Women's Union: A local NGO that has limited capacity to shelter and assist runaway domestic workers.

--Caritas: Provides health and limited other services to migrant workers, some of which are trafficking victims.

(Note: most organizations engaged on TIP in Jordan are working either on prevention or capacity-building of government entities. End Note)

¶64. (U) (28/M) The relationship between government officials, NGOs, and other elements of civil society on trafficking is generally positive, according to civil society and government officials. Senior-level officials express their commitment to combating trafficking and have requested civil society input on many of the initiatives outlined in this cable. The government also relies on several international and local NGOs to provide anti-trafficking training, develop capacity, and raise awareness of the issue. NGOs, however, have asserted that most GOJ working-level officials are either ignorant or indifferent to the issue. Conversely, and fueled by numerous international reports from organizations like the National Labor Committee, Amnesty International, and Human Rights Watch, some GOJ officials voice concern that NGOs overstate the problem and do not give adequate credit for efforts undertaken. In short, "high-level" discussion and cooperation remains productive but there is still a relative lack of on-the-ground cooperation to identify and assist victims and investigate complaints.

Prevention

¶65. (U) (29/A) The government did not conduct any major anti-trafficking information or education campaigns during the reporting period. The National Committee, however, is reportedly developing a large-scale public awareness campaign to educate the public on TIP and the new anti-TIP law. Committee members state the campaign will also target migrant workers to inform them of their rights and where to receive assistance. Proposed activities under the campaign include TV and radio spots, newspaper and billboard advertisements, a website to receive information and file complaints, expansion of the MOL hotline, and informational passport inserts for migrant workers. As of February 15, none of these activities had been initiated. In 2010, IOM and ABA may assist the government in implementing the prevention program within their TIP new or on-going projects.

¶66. (U) (29/A) The government and a few NGOs undertook small scale efforts to inform migrant workers of their rights and disseminate information on services. MOL inspectors conducted awareness raising workshops for foreign garment sector workers. A few NGOs disseminated pamphlets or cards to migrant workers that list the services they provide and contact information.

¶67. (U) (29/B) The government controls and monitors

immigration patterns, though governmental contacts state it is primarily for other purposes, i.e. security. IOM recently trained 100 border and residency personnel on monitoring and analyzing migration patterns as part of their anti-trafficking efforts. PSD personnel state they are applying this training. Jordanian embassies in source countries, such as the Philippines, Indonesia, and Sri Lanka, do not issue visas without MOI approval. Each case is individually evaluated. Nationals of these countries cannot obtain transit visas for Jordan unless they possess a visa for the destination country. Tourist visas for groups of nationals of restricted countries are not issued except through accredited Jordanian tourist offices. All foreigners coming to work in Jordan need prior approval from the MOL, and receive that approval only after the work permit is paid by the sponsoring employer.

¶68. (U) (29/C) The National Committee (para 18) is

responsible for overseeing government efforts to prevent and prosecute trafficking and protect victims. The committee engaged international and local non-governmental organizations on several occasions to discuss specific issues during the reporting period. Source country embassies, civil society, international organizations, and government bodies held monthly coordination meetings to discuss FDWs though this mechanism has been inactive since summer 2009.

¶69. (U) (27/D) On February 11, the National Committee approved a National Strategy to Combat Trafficking-in-Persons. Post obtained a copy of the new strategy in Arabic and will have it translated. Committee members state that it includes specific targets and activities around "4 Ps:" prevention, prosecution, protection, and partnerships. Special attention was reportedly given to protecting victims and to child trafficking. A committee member (an alumni of the TIP International Visitor Program) stated that he inserted, and it was ultimately approved, provisions for a "T-visa" that will allow TIP victims to receive residency and work permits while they pursue a case. Members also state the strategy will be reviewed every 6 months and is meant to be an adaptable and continuously changing document.

¶70. (U) (27/D) The National Strategy was developed by a committee comprised of the MOJ, MOL, MFA, MOSD, PSD, NCFA, and NCHR. The committee reportedly studied strategies and action plans of several countries, including Romania, Italy, United Kingdom, and the United Arab Emirates. The ILO also brought in an Austrian expert to assist in its development.

¶71. (U) (29/E) The government made no effort to reduce demand for public commercial sex acts during the year. Prostitution can be found in some hotels, nightclubs, and restaurants, though little information exists about the prevalence of commercial sex in this conservative society. The PSD investigated allegations of forced labor and forced prostitution in these venues but did not punish clients despite existing laws making the purchase of commercial sex illegal in Jordan.

¶72. (U) (29/F) No public efforts to reduce international sex tourism by Jordanians have been made. No information exists about the prevalence of international sex tourism by Jordanians.

¶73. (U) (29/G) The Jordanian Armed Forces and the PSD both send thousand of officers each year to participate in international peacekeeping efforts. Jordan is the number one

worldwide contributor to police missions and the fourth contributor to military peacekeeping missions. Jordan's Peace Operation Training Center provides anti-trafficking training as part of their standard training regimen.

Partnerships

¶74. (U) (30/A) The government has engaged with both multilateral and civil society organizations to discuss and combat trafficking during the year. The government, in particular, reached out to international and local organizations to develop their capacity to prevent and combat TIP and to directly implement programs. For example, the government worked closely with IOM, the ILO, and the U.S. government to train law enforcement and judicial personnel. The government has requested additional assistance to help implement prevention campaigns and improve victim services. To a lesser degree, the government cooperated with local NGOs to assist victims of trafficking, though civil society contacts state cooperation was not readily extended by all officials and in every circumstance.

¶75. (U) (30/B) Not applicable for Jordan.

TIP Heroes

176. (U) Post nominates and strongly endorses as a TIP hero Ms. Linda Al-Kalash, Program Coordinator for Tamkeen for Legal Aid and Human Rights. Ms. Al-Kalash bravely stood with and assisted trafficking victims as they sought justice and took their traffickers to court. Before Tamkeen started operation in April 2009, victims seeking justice had nowhere to turn. Ms. Al-Kalash's impact was felt immediately. In ten months, Ms. Al-Kalash has received over 200 complaints of forced labor in numerous sectors from Egyptian agriculture workers to Sri Lankans domestic workers. Ms. Al-Kalash and her small team took action. She directly filed lawsuits or worked with prosecutors to file criminal charges in over 20 cases. In two cases, two employers who sexually assaulted, abused, detained, and did not pay their domestic workers are now on trial for sexual assault. In one case, she is also assisting the victim with a civil lawsuit. These are ground-breaking cases in Jordan even if the new anti-TIP law was not used. Ms. Al-Kalash also won all 20 cases involving non-payment of wages and successfully negotiated the payment of wages, release of travel documents, and other remedies for many more migrant workers. Her work is not without risk. Ms. Al-Kalash and her team have received numerous e-mail, telephone, and handwritten threats from recruitment agencies, employers, and unknown sources. Organizations and individuals who work with Ms. Al-Kalash have also been threatened. Despite the threats, Ms. Al-Kalash is more determined than ever to assist the most vulnerable members of society.

Best Practices

177. (U) On August 25, 2009, Jordan's cabinet endorsed new domestic worker regulations aimed at protecting their rights. The regulations were drafted in consultation with civil society after agriculture and domestic workers were placed under the Labor Law in June 2008. Provisions include; 10-hour work day with one day off per week, 14 days of paid annual leave and 14 days of paid sick leave per year,

entitlement to contact family at least once per month at employer's expense, freedom to practice their own religion, worker cannot be taken out of Jordan without the worker's approval and only after notifying the worker's embassy, and worker must only work in their assigned home and cannot be sent to work in other people's homes. The domestic worker regulations also contain provisions designed to protect the employer rights. Activists acknowledged the regulations will be difficult to enforce and are not perfect, taking special exception to the requirement that a worker must obtain their employer's permission just to leave the house. However, activists largely hailed them as a significant achievement and step forward to protect FDWs.

Embassy Point of Contact

178. (U) Embassy point of contact on trafficking-in-persons until June 1 is Political Officer Garret Harries, phone number 962-6-590-6597, fax number 962-6-592-0159, e-mail harriesgj@state.gov. After June 1, Embassy point of contact will be Kathryn Kiser, e-mail KiserKA@state.gov. The AMB spent approximately an hour reviewing the report; A/DCM (FS-02) spent approximately two hours reviewing the report; Political Counselor (FS-02) spent 3 hours reviewing and editing the report; Economic Counselor (FS-01) spent 2 hours editing the report; Economic Officer (FS-03) spent 2 hours editing the report; USAID officer (FS-03) spent 2 hours editing the report; USAID officer (FS-01) spent 3 hours editing the report. Political Officer (FS-03) spent 80 hours preparing the report, and LES Political Analyst spent 30 hours preparing the report.
Beecroft